

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, Individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,
BIOPTIX, INC., JOHN O'ROURKE,
and JEFFREY G. McGONEGAL,
BARRY HONIG, CATHERINE
DEFRANCESCO, MICHAEL
BEEGHLEY, JOHN STETSON,
MARK GROUSSMAN, ANDREW
KAPLAN, MIKE DAI, JASON LES,
and ERIC SO,

Defendants.

Civil No. 3:18-CV-02293 (FLW)(ZNQ)

**[PROPOSED] ORDER GRANTING
DEFENDANTS' REQUEST FOR
JUDICIAL NOTICE IN SUPPORT
OF MOTIONS TO DISMISS THE
CORRECTED CONSOLIDATED
AMENDED CLASS ACTION
COMPLAINT**

Defendants Riot Blockchain, Inc., John O'Rourke, Michael Beeghley, Jeffrey G. McGonegal, Andrew Kaplan, Jason Les, and Eric So's Request for Judicial Notice In Support of (1) Reply Brief in Support of the Riot Blockchain Defendants' Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Laws; (2) Reply Brief in Support of the Director Defendants' Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Laws; and (3) Reply Brief in Support of Defendants' Motion to Strike Improper Allegations and Images from the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Laws (the "Request") was heard on November 4, 2019 in Room 5E of the above-captioned Court.

Having heard and considered all of the pleadings and records on file, and all papers in support of and in opposition to the Request, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

1. The Defendants' Request for Judicial Notice is GRANTED. The Court takes judicial notice of Exhibits A through G attached to the Declaration of Thomas A. Zaccaro In Support of Reply Briefs In Support of Defendants' Motions to Dismiss and Motion to Strike Improper Allegations and Images From the Corrected Consolidated Amended Class Action Complaint.

IT IS SO ORDERED.

Dated: _____

Hon. Freda L. Wolfson